

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:09CV33-3-MU**

TAURICE MARQUESE CRISP,)
)
 Plaintiffs,)
)
 v.)
)
 ALVIN W. KELLER; BOYD)
 BENNETT,)
)
 Defendants.)
 _____)

ORDER

Plaintiff seek leave to file this 42 U.S.C. §1983 Complaint in forma pauperis. Plaintiff named Alvin W. Keller, Secretary of the N.C. Department of Corrections and Boyd Bennett, the Director of Prisons, as defendants in this case. While the exact nature of his claim is not clear to this Court, Plaintiff seems to complain about the amount of money he is required to pay for filing lawsuits in federal court. Plaintiff states in his Complaint, “I would like to reduce the amount of which Inmate: # 0093107 has & is notarizing. To satisfy the necessity of this Court. All previously filed 42 U.S.C. § 1987, 28 U.S.C. § 1999 by plaintiff for malicious amounts shall be reduced to nothing. Plaintiff is all suits/claims has merely stated a claims & seeks nothing but compensatory relief such as: \$59 nominal/\$10.00 punitive injunctive relief ‘prospective relief.’” (Complaint at 4.) Plaintiff seeks injunctive, declaratory, and punitive relief. (Complaint at 5.)

The Prisoner Litigation Reform Act (“PLRA”) allows the court to dismiss a prisoner’s action “if the prisoner has, on 3 or more occasions, while incarcerated or detained in any facility, brought an action or an appeal in a court of the United States that was dismissed on the grounds that it is

frivolous, malicious, or for failure to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). This subsection is known as the “three strikes” provision of the PLRA. Court records indicate that Plaintiff has filed at least two previous cases in this Court which have been dismissed for failure to state a claim for relief¹ and at least two cases in the Eastern District of North Carolina which have been dismissed as frivolous or for failure to state a claim upon which relief may be granted.²

Accordingly, Plaintiff is barred from filing this action in forma pauperis, and this suit is dismissed under 28 U.S.C. §1915(g).

SO ORDERED.

Signed: April 1, 2009



Graham C. Mullen
United States District Judge



¹ See 5:06cv36; 3:01cv421.

² See Eastern District of North Carolina case 5:04ct88; 5:01ct899.